Court of Appeals, State of Michigan

ORDER

People v Jamal Duquon Garth

Docket No. 258630

LC No. 04-004412-01

Brian K. Zahra
Presiding Judge

Helene N. White

Kirsten Frank Kelly
Judges

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is DENIED for failure to support the motion with affidavits from the identified witnesses to establish their testimony at a hearing on remand and failure to establish that there is a reasonable probability that the outcome was affected by the alleged errors of trial counsel. See MCR 7.211(C)(1)(a)(ii), *Strickland v Washington,* 466 US 668; 104 S Ct 2052; 80 L Ed 2d 674 (1984), and *People v Pickens,* 446 Mich 298 (1994).

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

June 21, 2005
Date

Sandra Schultz Mengel
Chief Clerk